

UNITED STATES DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

NOTICES OF JUDGMENT UNDER THE INSECTICIDE ACT

2041-2066

The notices of judgment herewith relate to cases arising in the United States District Courts and are approved for publication, as provided in section 4 of the Insecticide Act of 1910 (7 U. S. C. 121-134).

RALPH S. TRIGG,
Administrator,

Production and Marketing Administration.

WASHINGTON, D. C., November 7, 1950.

2041. Misbranding and adulteration of "Wonder Bleach." U. S. v. 228 quart containers, more or less, of "Wonder Bleach." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2473. I. D. No. 15486.)

An examination of "Wonder Bleach" showed that the product was a sodium hypochlorite solution and contained 4.23 percent of sodium hypochlorite.

On August 4, 1947, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 228 quart containers, more or less, of "Wonder Bleach" at Trenton, N. J., alleging that the product had been shipped in interstate commerce, on or about April 27, 1947, by the Wonder Chemical Company, from Philadelphia, Pa., and charging that the product was a misbranded and adulterated fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was misbranded in that the statements, (1) "Active Ingredient Sodium Hypochlorite 5%, Inert Ingredients 95%" and (2) "Wonder Bleach * * * For Washing Clothes, Cleaning Sinks, Toilets, Tile Floors & General Disinfecting * * * For Cleansing Sinks. Place a glass upside down over the sink drain and fill with about 1 inch of water. Put in 1 cup of Wonder Bleach and mix well. Allow to stand for 2 hours or over night. Fruit and vegetable stains will disappear and the sink should look as good as new. For Cleaning Bathtubs. Use 2 cups of Wonder Bleach to half the tub of water. Allow to stand over night. For Cleaning Toilet Bowls. Add a cup of Wonder Bleach and allow to stand over night. For Cleaning Tile Floors. Add a cup of Wonder Bleach to a pail of warm water and wash tile. For Washing Dishes. A few spoonfuls added to the dishwater will keep the dishes bright and clean. Fill garbage pail with water and add a cup of Wonder Bleach. Stir and allow to stand for an hour. Sprinkle Wonder Bleach in the outhouse as often as necessary to overcome bad odors," borne on the labels affixed to the containers of the product, were false and misleading as the product contained less than 5 percent sodium hypochlorite and more than 95 percent inert ingredients, and could not be relied on to disinfect any of the articles and places mentioned when used as directed.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels on the containers of the product stated, in part "Active Ingredient, Sodium Hypochlorite 5%" and "Inert Ingredients 95%," whereas the product contained less than 5 percent sodium hypochlorite and more than 95 percent inert ingredients.

On October 14, 1947, no claimant having appeared, a default decree of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

2042. Adulteration and misbranding of "Lee Chem Sure-Kill Insect Paint." U. S. v. 1,701 quart cans and 387 gallon cans, more or less, of "Lee Chem Sure-Kill Insect Paint." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2484. I. D. No. 13119, 15679, and 15680.)

An examination of "Lee Chem Sure-Kill Insect Paint" showed that it contained less than 5 percent dichloro diphenyl trichloroethane (DDT) and more than 95 percent inert ingredients.

On October 21, 1947, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 1,701 quart cans and 387 gallon cans, more or less, of "Lee Chem Sure-Kill Insect Paint" at Baltimore, Md., alleging that the product had been shipped in interstate commerce, on or about June 15, June 27, and July 5, 1946, by the Farm & Home Products Company, from Washington, D. C., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the cans containing the product stated, in part, "Contains 5% DDT * * * ACTIVE INGREDIENTS Dichloro-diphenyl trichloroethane (DDT) 5%, INERT INGREDIENTS 95%," whereas the product contained less than 5 percent dichloro-diphenyl trichloroethane (DDT) and more than 95 percent inert ingredients.

It was alleged that the product was misbranded in that the statements, (1) "Contains 5% DDT * * * ACTIVE INGREDIENTS Dichloro-diphenyl trichloroethane (DDT) 5% INERT INGREDIENTS 95%," and (2) "Lee Chem Sure-Kill Insect Paint Destroys Flies, Mosquitoes, Roaches, Silver Fish, Ants, Gnats, And Many Other Insects Insect Killer Screen Paint * * * A clean, effective and economical preparation containing DDT for screens in homes, farm buildings, stores, restaurants, food packing houses, industrial buildings, anywhere those insects thrive. * * * Long Lasting * * * Sure-Kill Screen Paint when applied as directed destroys by contact, flies, mosquitoes, roaches, silverfish, ants, gnats, and many other objectionable insects. The residual deposit from one treatment to screens will retain its killing ability for several months. * * * Directions Remove All Dust and dirt from screen with a brush. Be sure frames are clean and dry. Shake the can well before opening and stir thoroughly from the bottom of can. Sure Kill Screen Paint is mixed ready for use. Thin with a minimum amount of water if necessary. Brush application: Apply in thin coats, brushing out well so as not to clog the mesh. Paint Spreader Technique: When using roller applicator pour a small quantity of the SURE KILL SCREEN PAINT in a tray or saucer. Dip applicator in the paint and apply to the screen by brushing lightly over the wire with a circular motion working upward from the bottom, finish with a final sweep around the edge of the screen," borne on the labels affixed to the quart and gallon cans in which the product was packed, and the statement "One U. S. Gal." borne on the gallon cans in which the product was packed, were false and misleading as the product contained less than 5 percent dichloro-diphenyl trichloroethane (DDT) and more than 95 percent inert ingredients and when used as directed it was not an effective insect-killing screen paint, it would not kill the insects referred to, and the net content of the 1-gallon cans was less than one United States gallon.

On December 10, 1947, no claimant having appeared, a default decree of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

2043. Misbranding of "Pur-O-Fone." U. S. v. 152 boxes, more or less, of "Pur-O-Fone." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2491. I. D. No. 15686.)

An examination of "Pur-O-Fone" showed that it consisted principally of an inert substance (cardboard) and that the labels on the containers of the product did not bear an ingredient statement as required by the Insecticide Act of 1910.

On July 2, 1948, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 152 boxes, more or less, of "Pur-O-Fone" at Washington, D. C., alleging that the product had been shipped in interstate commerce, on or about November 24, 1947, by the Prophylactic Products, Inc., from New York, N. Y., and charging that the product was a misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was misbranded in that the statements, "PUR-O-FONE Filter Set full year's protection * * * helps prevent infection * * * don't catch cold by phone," and "A PUR-O-FONE Filter Set helps give you the protection you need. Each disk that fits into the holder you snap on your phone is impregnated with a powerful germ killer, which kills most germs that contact your disposable filters. Moreover, the protection you get from using your disposable filters lasts a long time. Unlike many germicides, the one that has impregnated your disposable filters retains its potency almost indefinitely. * * * PROOF OF PUR-O-FONE'S Protective Power . . . The germicide used in your PUR-O-FONE set is effective against most pathogenic bacteria. It inhibits the spread of communicable diseases and reduces the transmission of diphtheria, scarlet fever, mastitis and many communicable diseases of the upper respiratory tract. THE FOLLOWING ARE A FEW OF THE MANY ORGANISMS DESTROYED BY THE GERMICIDE USED IN YOUR PUR-O-FONE SET. *Organisms* *Salmonella paratyphi B*, *Staphylococcus aureus*, *Streptococcus hemolyticus*, *Streptococcus viridans*, *Corynebacterium diphtheriae*, *Cryptococcus hominis*, *Diplococcus pneumoniae*, Type 111, *Monilia albicans* CHARACTERISTICS: The germicide used on PUR-O-FONE Filter Sets is virtually odorless, colorless, non-toxic, stable and neutral. It is non-irritating to skin in the concentrations used on our PUR-O-FONE Filter Sets and provides safe, rapid destroying action of extreme potency. * * * Protect yourself—your family—your fellow workers. Cut down on the time spent away from the job. Get rid of unpleasant mouthpiece odors, too. At times the mouthpiece even touches your lips. Make sure it's clean and antiseptic," borne on the labels affixed to the containers of the product and the circulars inside the containers, were false and misleading in that the product would not kill all germs or act as a germicide for germs expelled from the mouth of individuals using the phone, would not kill the specific bacteria and fungi listed when used as directed, and could not be depended on to prevent the transmission of disease or protect individuals from such diseases as are transmitted by contaminated telephone sets or the specific diseases listed, and the germicide used on the "PUR-O-FONE" sets is not nontoxic.

It was alleged that the product was further misbranded in that the product consisted principally of an inert substance (cardboard), which would not prevent, destroy, repel, or mitigate fungi (bacteria), and the name and percentage amount of such inert ingredient were not stated on the label, nor did the label bear a statement of the name and percentage amount of each ingredient having fungicidal (bactericidal) properties and the total percentage of inert ingredients.

On February 2, 1949, no claimant having appeared, a default decree of condemnation and forfeiture was entered, and the court ordered that the product, the boxes containing it, and the circulars inside the boxes, be destroyed.

2044. Adulteration and misbranding of "The Amazing Benny Hex Insect Spray." U. S. v. 190 pint bottles and 95 quart bottles, more or less, of "The Amazing Benny Hex Insect Spray." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2492. I. D. No. 16852.)

An examination of "The Amazing Benny Hex Insect Spray" showed that it contained less than 5.4 percent benzene hexachloride (10 percent gamma isomer) and less than 0.6 percent pyrethrins.

On November 26, 1948, the United States Attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 190 pint bottles and 95 quart bottles, more or less, of "The Amazing Benny Hex Insect Spray" at Phoenix, Ariz., alleging that the product had been shipped in interstate commerce, on or about December 1, 1947, by the Anzio Chemical Company, from Detroit, Mich., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels on the containers of the product stated, in part, "* * * Benzene Hexachloride (10% Gamma Isomer) 5.4%, Pyrethrum extr. (20% pyrethrins) 3.0%, Petroleum Hydrocarbons 91.2%, and Perfume .4%, * * *," whereas the product contained less than 5.4 percent benzene hexachloride (10 percent gamma isomer) and less than 0.6 percent pyrethrins.

It was alleged that the product was misbranded in that the statements, "Benzene Hexachloride (10% Gamma Isomer) 5.4%; Pyrethrum extr. (20%

pyrethrins) 3.0%; Petroleum Hydrocarbons 91.2%; Perfume .4%" and "* * * THE AMAZING Benny Hex Insect Spray * * * RESIDUAL SPRAY For Flies, Mosquitoes, Gnats, Roaches, Ants, Fleas, Clothes Moths, Carpet Beetles and certain other insects. * * * DIRECTIONS ROACHES Spray cracks and crevices in woodwork, dark places behind pipes, under refrigerators and all places which roaches infest, hitting as many insects as possible. A thorough treatment may give protection for several weeks. BEDBUGS Thoroughly spray joints of bedsteads, springs, seams and buttons of mattresses, paying particular attention to cracks around baseboards, floors and wall paper. ANTS Spray solution to hit as many ants as possible and thoroughly wet runways and other places which they frequent. CLOTHES MOTHS AND CARPET BEETLES Thoroughly spray clothes closets and articles to be protected, paying particular attention to folds and seams, as well as spraying the containers in which they are packed. If containers are not airtight repeat at monthly intervals. Respray after dry cleaning. FLIES, MOSQUITOES AND GNATS For best results close all doors and windows and spray the product through all parts of the room, particularly towards the ceiling so as to fill the room with a fine mist. The room should be closed for ten or fifteen minutes after spraying. Treat window screens by applying liquid with a brush. Screens subject to weathering should be treated at frequent intervals. FLEAS Thoroughly spray floors, rugs and other flea infested places. One spraying lasts several weeks," borne on the labels affixed to the containers of the product, were false and misleading as the product contained less than 5.4 percent benzene hexachloride (10 percent gamma isomer) and less than 0.6 percent pyrethrins, and when used as directed the product would not provide residual spray for several weeks against the insects specified.

On January 21, 1949, no claimant having appeared, a default decree of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

2045. Adulteration and misbranding of "Ford Brand Benny Hex * * * Concentrate" and "Ford Brand Benny Hex * * * Insect Spray." U. S. v. 34 quart bottles, more or less, of "Ford Brand Benny Hex * * * Concentrate" and 1,196 pint bottles, more or less, of "Ford Brand Benny Hex * * * Insect Spray." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2493. I. D. Nos. 16631 and 16632.)

An examination of "Ford Brand Benny Hex * * * Concentrate" showed that it contained less than 5.6 percent benzene hexachloride (gamma isomer); and an examination of "Ford Brand Benny Hex * * * Insect Spray" showed that this product contained less than 5.4 percent benzene hexachloride (10 percent gamma isomer) and less than 0.6 percent pyrethrins.

On October 29, 1948, the United States Attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 34 quart bottles, more or less, of "Ford Brand Benny Hex * * * Concentrate" and 1,196 pint bottles, more or less, of "Ford Brand Benny Hex * * * Insect Spray" at St. Petersburg, Fla., alleging that the products had been shipped in interstate commerce, on or about October 29, 1946, from Detroit, Mich., by the Ford Insecticide Corporation, and charging that the products were adulterated and misbranded insecticides within the meaning of the Insecticide Act of 1910.

It was alleged that the product in the quart containers was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the quart containers of the product stated, in part, "* * * Methylated Naphthalenes 42%, Hydrocarbon Oils 52.4%, Benzene Hexachloride (gamma isomer) 5.6%, Active Ingredients 100% * * *," whereas the product contained less than 5.6 percent benzene hexachloride (gamma isomer).

It was alleged that the product in the quart containers was misbranded in that the statements, "FORD BRAND BENNY HEX * * * Benzene Hexachloride CONCENTRATE For * * * Stables, Cattle Pens and Dairies KILLS Flies, Mosquitoes, Gnats, Roaches, Ants, Fleas, Clothes Moths, Carpet Beetles, and certain other insects. FOUR QUARTS OF WATER ADDED TO ONE QUART FORD BRAND MAKES FIVE QUARTS OF SOLUTION * * * USE ONLY AS DIRECTED Benny Hex is the most effective product ever found for the control of many pests inhabiting farms, industrial and commercial buildings. Benny Hex applied as directed will kill many kinds of insects coming in contact with the treated surface, such as flies, mosquitoes, moths, gnats, fleas, roaches,

silver fish, bedbugs, wasps, crickets and ants. The residual deposit from one treatment to interior surfaces sheltered from the weather and sun will retain its killing abilities two to three months. When applied outdoors, on screens, doorways, etc., the residual properties will ordinarily be retained two to three weeks or longer. * * * **DIRECTIONS** Add one quart of Ford Brand Benny Hex Concentrate to four quarts of water to make a 5% residual type spray. * * * Apply the diluted mixture as a fairly coarse spray from a shoulder strap pump-up sprayer, knapsack, bucket, wheelbarrow, or power sprayer. It is preferable not to use an atomizing sprayer. It can also be applied by brush. Do not apply so heavily that the liquid runs on the wall. For best results apply one quart of diluted solution to each 250 square feet of surface. Make certain to cover entire area being treated. * * *," borne on the labels affixed to the quart containers of the product, were false and misleading as the product, when used as directed, was not an effective residual insecticide against the insects named, was not the most effective product ever found for the control of many pests inhabiting farms, industrial and commercial buildings, and was not safe to use in dairies and all stables and cattle pens.

It was alleged that the product in the pint containers was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the statements, " * * * Benzene Hexachloride (10% Gamma Isomer) 5.4%, Pyrethrum extr. (20% pyrethrins) 3.0%, Petroleum Hydrocarbons 91.2%, Perfume .4%, Active Ingredients 100.0% * * *," borne on the labels affixed to the pint containers of the product represented that the product contained not less than 5.4 percent benzene hexachloride (10 percent gamma isomer) and not less than 0.6 percent pyrethrins, whereas the product contained less than 5.4 percent benzene hexachloride (10 percent gamma isomer) and less than 0.6 percent pyrethrins.

It was alleged that the product in the pint containers was misbranded in that the statements, "FORD BRAND BENNY HEX * * * INSECT SPRAY * * * RESIDUAL SPRAY For Flies, Mosquitoes, Gnats, Roaches, Ants, Fleas, Clothes Moths, Carpet Beetles and certain other insects. * * * **DIRECTIONS ROACHES** Spray cracks and crevices in woodwork, dark places behind pipes, under refrigerators and all places which roaches infest, hitting as many insects as possible. A thorough treatment may give protection for several weeks. **BEDBUGS** Thoroughly spray joints of bedsteads, springs, seams and buttons of mattresses, paying particular attention to cracks around baseboards, floors and wall paper. **ANTS** Spray solution to hit as many ants as possible and thoroughly wet runways and other places which they frequent. **CLOTHES MOTHS AND CARPET BEETLES** Thoroughly spray clothes closets and articles to be protected, paying particular attention to folds and seams, as well as spraying the containers in which they are packed. If containers are not air-tight repeat at monthly intervals. Respray after dry cleaning. **FLIES, MOSQUITOES AND GNATS** For best results close all doors and windows and spray the product through all parts of the room, particularly towards the ceiling so as to fill the room with a fine mist. The room should be closed for ten or fifteen minutes after spraying. Treat window screens by applying liquid with a brush. Screens subject to weathering should be treated at frequent intervals. **FLEAS** Thoroughly spray floors, rugs and other flea infested places. One spraying lasts several weeks," borne on the labels affixed to the pint containers of the product, were false and misleading as the product, when used as directed, would not provide residual value for several weeks against the insects specified.

On January 24, 1949, no claimant having appeared, a default decree of condemnation and forfeiture was entered and it was ordered that the products be destroyed.

2046. Misbranding of "Moth Spra Liquid." U. S. v. 900 quart containers and 348 pint containers, more or less, of "Moth Spra Liquid." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2476. I. D. No. 13500.)

An examination of "Moth Spra Liquid" showed that it consisted of water and small amounts of iron, aluminum, potassium, phosphorus, calcium, copper, silica compounds, and a small amount of spreader.

On September 12, 1947, the United States Attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 900 quart containers and 348 pint containers, more or less, of "Moth Spra Liquid" at St. Paul, Minn.,

alleging that the product had been shipped in interstate commerce, on or about August 15, 1946, by the Hoggatt Chemical Company, from Kansas City, Mo., and charging that the product was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

It was alleged that the product in the quart and pint containers was misbranded in that the following statements, borne on the labels on the containers of the product or contained in circulars enclosed in such containers, were false and misleading: (Bottle Label) (1) "Active Ingredients: Aluminium, potassium, calcium, copper and ferric sulphates, water of crystallization, uncombined water, insoluble silica, phosphoric acid, quassia, sulphonated alcohol," and (2) "Hoggatt's Moth Spra Liquid Moth Proofs Everything Guaranteed 5 years * * * One application is all that is necessary, as Moth Spra is unaffected by washing, dry cleaning, sunlight or age. Wool has a strong affinity for Moth Spra; it is quickly absorbed by the wool and as quickly dries. Moth Spra is safe for babies' woolens. Moth Spra is effective because it is a revolutionary idea in moth-proofing compared with all other mothproofers. Moth Spra is a liquid developed to treat wool fiber chemically to make it uneatable and unpalatable to moth worms, carpet beetles, and related insects; therefore, when wool has lost its food value and no longer serves as nourishment, the insect has no further use for the wool, and the wool has become mothproofed. * * * Directions: Moth Spra can be applied with sponge or by dipping the article, but spraying is generally preferred. Every part of article treated must be thoroughly moistened for complete protection. Rugs and Carpets: Treat with a strong spray and allow to dry before using. Clothing, Blankets, Drapes, Etc.: Treat with heavy spray, holding about six inches from article, spraying up and down as well as across so as to be sure to cover all parts. Suits and Overcoats: Hang on line or suitable place so that operator can spray or sponge all parts of fabric, and allow to dry before moving. Upholstered Articles: Reach all inaccessible places and spray or sponge thoroughly, using whisk broom to lay nap." (White Circular—"Facts About Moth Spra Liquid") "Hoggatt's Moth Spra Liquid Moth Proofs Everything Guaranteed 5 Years For Rugs and Carpets Clothing, Blankets and Upholstered Articles One application is all that is necessary, as Moth Spra is unaffected by washing, dry cleaning, sunlight or age. Facts About Moth Spra Liquid Moth Spra is * * * Dependable. * * * Moth Spra is effective as it is a revolutionary idea in mothproofing as compared with all other mothproofers, as Moth Spra is a process developed to treat the wool fibre chemically so as to make it uneatable and unpalatable to the Moth Worm, Carpet Beetles and related insects, therefore when the wool has lost its food value and no longer serves as nourishment to the Moth Worm, the insect has no further use for the wool and the wool has become moth-proofed. This processing does not change the physical properties of the wool. It remains just as soft, light and warm as before treatment, yet it is proof against attack of moths or beetles. Moth-proofing with Moth Spra endures; it lasts for years, or as far as we know for the life of the article treated; goods that were treated with Moth Spra five years ago are moth-proofed today. This is proven by bringing articles treated with Moth Spra in direct contact with live Moth Worms and observing that the material remains unattacked and unharmed for any length of time. Moth Spra has been used for years by Cleaners and Professional Exterminators, who guarantee its effectiveness against damage or reinfestation by Moths or Carpet Beetles for a period of five years or longer. Moth Spra has been used in the finest homes and business places and we have thousands of satisfied customers that can speak for its effectiveness. Remember the process of Moth Spra is to treat every particle of the article so that it is unpalatable and uneatable by Moths or Carpet Beetles and therefore starved him out rather than to try and force him out temporarily so that he may return to do more damage." (White Circular—"History of Moth Spra") "History of Moth Spra Hoggatt's Moth Spra Liquid Moth Proofs Everything * * * the present formula which is, we believe, a revolutionary process in treating articles of wool or part wool so as to render them unpalatable and uneatable to the moth and its related insects such as the carpet beetles, etc. * * * We have moth proofed every conceivable type of fabric, rugs, uniforms, clothing, etc., and have many fine homes where every article in that home that is wool or part wool is moth proofed with Hoggatt's Moth Spra." (Blue Circular) "Hoggatt's Moth Spra Liquid Moth Proofs Everything." (Triangular Display Sign) "5 Year Guarantee Hoggatt's Moth Spra." Said statements were alleged to be false and misleading

in that they represented that said product contained various active ingredients and that said product, when used as directed, was a mothproof, would make wool uneatable and unpalatable to the fabric pests named, and would mothproof susceptible fabrics for a 5-year period, whereas the product consisted entirely of inert ingredients, and it was not a mothproof, would not make wool uneatable and unpalatable to the fabric pests named, and would not mothproof susceptible fabrics for a 5-year period. It was further alleged that the product was misbranded in that it consisted entirely of inert ingredients and the label did not bear a statement of the name and percentage amount of each of such ingredients and the fact that they were inert.

On June 28, 1949, a default decree of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

2047. Misbranding of "Hill's Germorene"; misbranding and adulteration of "Hill's Hy-Pine Disinfectant." U. S. v. Arthur I. Hillman and Ralph Hillman, individuals, doing business as copartners under the name of Hill Manufacturing Company. Plea of nolo contendere to counts one, two, and three. Fine of \$350. (I. & F. No. 2475. I. D. Nos. 15217 and 15277.)

An examination of "Hill's Germorene" showed that this product contained about 1.4 percent of soap and a small percentage of perfume and formaldehyde, and over 96 percent of an inert ingredient, water. The product was found to be ineffective as a disinfectant or germicide. The label of the product did not contain an ingredient statement.

An examination of "Hill's Hy-Pine Disinfectant" showed that it contained 18.4 percent of water.

The United States Attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court an information, in four counts, against Arthur I. Hillman and Ralph Hillman, individuals, doing business as copartners under the name of Hill Manufacturing Company, alleging introduction into interstate commerce of two fungicides known as "Hill's Germorene" and "Hill's Hy-Pine Disinfectant" which were shipped from Atlanta, Ga., on or about December 12 and December 18, 1946, to Mount Dora, Fla., and Florence, S. C., respectively, and charging that the products were misbranded and/or adulterated fungicides within the meaning of the Insecticide Act of 1910.

In count one, relating to the December 12, 1946, shipment of "Hill's Germorene," the product was alleged to be misbranded in that it consisted partially of an inert substance (water) which did not prevent, destroy, repel, or mitigate fungi (bacteria), and the labels affixed to the containers of the product did not state the name and percentage amount of such inert ingredient nor did the labels state the name and percentage amount of each ingredient having fungicidal (bactericidal) properties and the total percentage of inert ingredients.

In count two, relating to the same shipment, "Hill's Germorene" was alleged to be further misbranded in that the labels affixed to the containers of the product stated: "Hill's Germorene An Effective Germicide Disinfectant and Deodorant * * * Deodorizes And Disinfects In One Operation Leaves a Very Pleasant And Refreshing Odor—Germorene not only destroys malignant odors such as particularly offensive public toilets, urinals, garbage cans, fish smells, animal and body odors, but is also a most effective germicide. Germorene destroys bacteria and will be found to be a valuable aid in the control and prevention of the spread of many infectious diseases. Germorene will be found very effective for use in Kitchens, Hospitals, Jails, Public Conveyances, Theatres, Toilets, Schools, etc. * * * In spraying Germorene for disinfecting purposes, use full strength and make certain that all surfaces are wet with the spray," which statements were false and misleading in that the product was not a disinfectant or germicide, would not destroy bacteria, could not be relied upon to aid in the control and the prevention of the spread of infectious diseases, and should not be recommended for use as a disinfectant in hospitals, homes, jails, public conveyances, theaters, public toilets, or schools.

In count three, relating to the December 18, 1946, shipment of "Hill's Hy-Pine Disinfectant," the product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold in that the labels affixed to the containers of the product stated: "Hy-Pine Disinfectant" and "contains not over 10% inert matter (water)," which statements represented that the product was a pine oil disinfectant and contained not more than 10 percent inert matter (water), whereas the product was not a pine oil disinfectant but consisted of a pine oil disinfectant and water and contained more than 10 percent water.

In count four, relating to the same shipment, "Hill's Hy-Pine Disinfectant" was alleged to be misbranded in that the labels affixed to the containers of the product stated: "Hy-Pine Disinfectant" and "contains not over 10% inert matter (water)," which statements were false and misleading in that the statements represented that the product was a pine oil disinfectant and contained not over 10 percent water, whereas the product was not a pine oil disinfectant but consisted of a pine oil disinfectant and water and contained more than 10 percent water.

On October 15, 1948, the defendants entered a plea of *nolo contendere* to the first three counts of the information, and on October 22, 1948, each defendant was fined \$75 on count two and \$50 each on counts one and three, or a total of \$350. Count four was dismissed.

2048. Adulteration and misbranding of "Klix Insecticide with DDT." U. S. v. Acme Sales Company, Inc. Plea of guilty. Fine of \$50. (I. & F. No. 2495. I. D. No. 16602.)

An examination of "Klix Insecticide with DDT" showed that it contained 3.5 percent DDT (dichloro diphenyl trichloroethane) instead of 5 percent as claimed.

On January 19, 1949, the United States Attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court an information, in two counts, against Acme Sales Company, Inc., a corporation, alleging shipment in interstate commerce, on or about November 7, 1947, from Jacksonville, Fla., to Brunswick, Ga., of quantities of a product known as "Klix Insecticide with DDT" which was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated: "Klix Insecticide with D D T * * * D D T 5% * * *" whereas the product did not contain 5 percent DDT (dichloro diphenyl trichloroethane).

The product was alleged to be misbranded in that the labels affixed to the containers of the product stated: "Klix Insecticide with D D T * * * D D T 5% * * *," which statements were false and misleading in that the product contained less than 5 percent DDT (dichloro diphenyl trichloroethane).

On January 24, 1949, the defendant corporation entered a plea of guilty and was fined \$25 on each of the two counts, or a total of \$50.

2049. Adulteration and misbranding of "Twen's Bleach." U. S. v. 248 quarts, more or less, of "Twen's Bleach." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2422. I. D. No. 13795.)

An examination of "Twen's Bleach" showed that it contained approximately 2.83 percent sodium hypochlorite, the average deficiency being 46.10 percent of the amount claimed.

On August 27, 1946, the United States Attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 248 quarts, more or less, of "Twen's Bleach" at Kansas City, Mo., alleging that the product had been shipped in interstate commerce, on or about June 26, 1946, via truck by the Twenhofel Manufacturing Company, from Kansas City, Kans., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the standard or quality under which it was sold as the labels affixed to the containers of the product stated: "Active Ingredient, Sodium Hypochlorite 5.25% by weight, Inert Ingredients, 94.75% by weight," whereas the product contained less than 5.25 percent of sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

The product was alleged to be misbranded in that the labels affixed to the containers of the product stated, in part, "Active Ingredient, Sodium Hypochlorite 5.25% by weight, Inert Ingredients 94.75% by weight," whereas the product contained less than 5.25 percent sodium hypochlorite by weight, and more than 94.75 percent inert ingredients by weight.

The product was alleged to be further misbranded in that the statement, "Disinfects—Bleaches—Deodorizes * * * As A Cleanser, Stain Remover, Deodorant, Disinfectant Add 1 oz. Twen's Bleach for each 4 gallons cold water to prepare disinfecting solution 100 parts per million Available Chlorine," borne on the labels affixed to the containers of the product, was false and misleading, as the statement represented that 1 ounce of the product in 4 gallons of water

would yield a solution containing 100 parts per million of available chlorine, or a solution which could be relied on to disinfect, whereas, when used as directed, 1 ounce of the product in 4 gallons of water would not yield such a solution.

On December 2, 1946, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2050. Adulteration and misbranding of "Old Nick's Seed Treatment." U. S. v. 957 pint containers, more or less, of "Old Nick's Seed Treatment." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2470. I. D. No. 15819.)

An examination of "Old Nick's Seed Treatment" showed that it was a coal tar oil containing tar material, carbonlike material, and a small amount of phenols.

On July 16, 1947, the United States Attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 957 pint containers, more or less, of "Old Nick's Seed Treatment" at Minneapolis, Minn., alleging that the product had been shipped in interstate commerce, on or about April 6, 1945, by the Old Nick Seed Treatment Company, from Rockport, Mo., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated, in part, "Active Ingredients, Cresols 3.05%, hydrocarbonic oils not more than 95%, inert materials not more than 2½%," whereas the product contained less than 3.05 percent cresols.

The product was alleged to be misbranded in that the statements, "Active Ingredients, Cresols 3.05%, hydrocarbonic oils not more than 95%, inert materials not more than 2½%," and "Old Nick's Seed Treatment * * * Helps protect corn from * * * heart-bugs, wire worms * * * or any pest that attacks seed in the ground. * * * Results guaranteed. * * * Directions, One tablespoonful to one and one-half gallons of corn mixed in planter box. Mix thoroughly. Do not mix and allow to dry," borne on the labels affixed to the containers of the product, were false and misleading in that the statements represented that the product contained not less than 3.05 percent cresols, and that the product, when used as directed, would help protect corn from heart bugs, wireworms, and all other pests that attack seed in the ground, whereas the product contained less than 3.05 percent cresols, and, when used as directed, would not help protect corn from heart bugs, wireworms, and all other pests that attack seed in the ground.

On November 12, 1947, no claimant having appeared, a default decree of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

2051. Adulteration and misbranding of "Old Nick's Seed Treatment." U. S. v. Ivan James Nickerson, an individual, doing business under the name of Old Nick Seed Treatment Company. Plea of guilty. Fine \$100. (I. & F. No. 2446. I. D. Nos. 10877 and 10879.)

An examination of "Old Nick's Seed Treatment" showed that it was a coal tar creosote containing tar material, carbonlike material, and a small amount of phenols.

On March 10, 1947, the United States Attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court an information, in four counts, against Ivan James Nickerson, an individual, doing business under the style and trade name of Old Nick Seed Treatment Company, alleging shipments in interstate commerce, on or about January 15, 1944, March 31, 1944, and November 17, 1944, from Rockport, Mo., to Sioux City, Iowa, of consignments of bottles of a product known as "Old Nick's Seed Treatment" which was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the product was labeled, "Old Nick's Seed Treatment * * * active ingredients Cresols 3.05%, hydrocarbonic oils, not more than 95%, inert materials not more than 2½%," whereas the product contained less than 3.05 percent of cresols.

The product was alleged to be misbranded in that the labels affixed to the bottles containing the product bore the statements, (1) "Old Nick's Seed Treatment * * * Active Ingredients Cresols 3.05%, hydrocarbonic oils, not more than 95%, inert materials not more than 2½%" and (2) "Old Nick's Seed

Treatment * * * Helps protect corn from * * * heart bugs, wireworms * * * or any pest that attacks seed in the ground. * * * Results guaranteed. * * * One tablespoonful to one and one-half gallons of corn mixed in planter box. Mix thoroughly. Do not mix and allow to dry," which statements were false and misleading since the product did not contain 3.05 percent cresols and, when used as directed, did not help protect corn from heart bugs, wireworms, and all other seed-attacking pests in the ground.

On September 15, 1947, the defendant entered a plea of guilty and the court imposed a fine of \$25 on each of four counts, or a total of \$100.

2052. Adulteration and misbranding of "High Up Laundry Bleach." U. S. v. 3,776 quart containers, more or less, of "High Up Laundry Bleach." Consent decree of condemnation and release under bond. (I. & F. No. 2427. I. D. No. 14244.)

An examination of "High Up Laundry Bleach" showed that it contained an average of 3.58 percent of sodium hypochlorite.

On September 12, 1946, the United States Attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 3,776 quart containers, more or less, of "High Up Laundry Bleach" at Hutchinson, Kans., alleging that the product had been shipped in interstate commerce, on or about November 15, 1945, by the Roisman Products Company, from Oklahoma City, Okla., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the standard or quality under which it was sold as the labels affixed to the containers of the product stated, "Active Ingredients: Sodium Hypochlorite 5.25% Inert Ingredients 94.75%," whereas the product contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

The product was alleged to be misbranded in that the statements, "Active Ingredients: Sodium Hypochlorite 5.25% Inert Ingredients 94.75%," borne on the labels affixed to the containers of the product, were false and misleading as the product contained less than 5.25 percent of sodium hypochlorite and more than 94.75 percent inert ingredients.

Guymon-Petro Mercantile Company claimed ownership of the product, requested its release under bond pursuant to the act, and consented to the entry of a condemnation decree. On March 10, 1947, a decree of condemnation was entered and the product was released to the claimants under bond for the purpose of bringing it into compliance with the act.

2053. Adulteration and misbranding of "Hilltop Wood Preserver D-K-NO-MOR Carbolineum" and misbranding of "Hilltop Pine-O-5 Disinfectant." U. S. v. Fred H. Moore, doing business under the name of Hilltop Laboratories. Plea of guilty. Fine \$75. (I. & F. No. 2464. I. D. Nos. 12815 and 12817.)

An examination of "Hilltop Wood Preserver D-K-NO-MOR Carbolineum" showed that the product was a mixture consisting of about 50 percent creosote oil and the remainder mineral oil, and the product was not a carbolineum or anthracene oil carbolineum as claimed on the label.

An examination of "Hilltop Pine-O-5 Disinfectant" showed that this product had a phenol coefficient of 0.78, instead of a phenol coefficient of 5 as claimed on the label.

On September 19, 1947, the United States Attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court an information, in three counts, against Fred H. Moore, doing business under the style and trade name of Hilltop Laboratories, alleging shipment in interstate commerce, on or about November 15, 1945, of a consignment of a product known as "Hilltop Wood Preserver D-K-NO-MOR" and, on or about July 2, 1945, of a consignment of a product known as "Hilltop Pine-O-5 Disinfectant," from Minneapolis, Minn., to Chicago, Ill. The product "Hilltop Wood Preserver D-K-NO-MOR Carbolineum" was alleged to be an adulterated and misbranded insecticide, and the product "Hilltop Pine-O-5 Disinfectant" was alleged to be a misbranded fungicide, within the meaning of the Insecticide Act of 1910.

The product "Hilltop Wood Preserver D-K-NO-MOR" was alleged to be adulterated in that mineral oil had been substituted in part for the product carbolineum (anthracene oil). It was alleged to be misbranded in that the statements, (1) "D-K-NO-MOR Carbolineum * * * Anthracene Oil Car-

bolineum" and (2) "Hilltop * * * D-K-NO-MOR Carbolineum Poultry Mite Repellent * * * Repels Poultry Mites Poultry House Uses Spray or paint for the control of Common Pests. * * * Chiggers * * * Clean the houses, roosts, nests and floors by removing filth, dirt and manure. Burn the litter. Thoroughly sweep the floor and walls. Take out all nests, roosts and fixtures which can be removed. See that all equipment, cracks and crevices are properly treated with D-K-NO-MOR. Once a year gives full protection," borne on the labels affixed to the jugs containing the product, were false and misleading as the product was not anthracene oil or carbolineum and would not repel poultry mites and if used as directed would not control chiggers.

The product "Hilltop Pine-O-5 Disinfectant" was alleged to be misbranded in that the statements, "Hilltop Pine-O-5 Disinfectant Phenol Coefficient 5 F. D. A. * * * For general disinfection and for washing fountains, feeders and other equipment, use one part Pine-O-5 to 100 parts water. In cold or damp weather or when moisture is objectionable, use one part Pine-O-5 to 15 parts kerosene or fuel oil. * * * Pine-O-5 has 5 times the germ-killing power of carbolic acid. * * * Pine-O-5 kills common disease germs on contact. Pine-O-5 can be used whenever a powerful disinfectant is wanted. Pine-O-5 can be mixed with either water or kerosene—making it the ideal disinfectant for all uses," borne on the labels affixed to the bottles containing the product, were false and misleading as the statements represented that the product had a phenol coefficient of not less than 5, was an efficient disinfectant when used at dilution of one part to 100 parts of water, would disinfect when diluted with kerosene or fuel oil, had 5 times the germ-killing power of carbolic acid, and was an ideal disinfectant for all uses, whereas the product did not have a phenol coefficient of 5, was not an efficient disinfectant when used at a dilution of one part to 100 parts of water, would not disinfect when diluted with kerosene or fuel oil, did not have 5 times the germ-killing power of carbolic acid, and was not an ideal disinfectant for all uses.

On August 31, 1948, the defendant entered a plea of guilty, and the court imposed a fine of \$25 on each of three counts, or a total of \$75.

2054. Adulteration and misbranding of "Fleecy White Laundry Bleach." U. S. v. 264 half-gallon bottles, more or less, of "Fleecy White Laundry Bleach." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2496. I. D. No. 16211.)

An examination of "Fleecy White Laundry Bleach" showed that it contained 4.27 percent of sodium hypochlorite instead of the 5 percent claimed.

On January 17, 1949, the United States Attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 264 half-gallon bottles, more or less, of "Fleecy White Laundry Bleach" at Gary, Ind., alleging that the product had been shipped in interstate commerce, on or about January 20, 1948, by the John Puhl Products Company, from Chicago, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the bottles in which the product was packed stated, in part, "ACTIVE INGREDIENTS: SODIUM HYPOCHLORITE 5.25% BY VOLUME. INERT INGREDIENTS 94.75% BY VOLUME," whereas the product contained less than 5.25 percent of sodium hypochlorite by volume and more than 94.75 percent inert ingredients by volume.

The product was alleged to be misbranded in that the statements, "Active Ingredients: Sodium Hypochlorite 5.25% by volume. Inert Ingredients 94.75% by volume" and "FLEECY WHITE LAUNDRY BLEACH DISINFECTS * * * DEODORIZES REMOVES STAINS * * * DISINFECTS—DEODORIZES For general disinfecting purposes 2 tablespoons of FLEECY WHITE to each gallon of water will make a disinfecting solution containing 200 parts per million Available Chlorine. This is quite adequate for ordinary use. For the following, use a stronger solution: 3 tablespoons of FLEECY WHITE to each quart of water. BATH TUBS, TOILETS, SHOWER FLOORS, SINKS, DRAIN BOARDS, REFRIGERATORS, FRUIT JARS, MILK CANS, BOTTLES, GARBAGE CANS. IN THE SICK ROOM you'll find it easy and pleasant to disinfect with FLEECY WHITE. Use a solution of 3 tablespoons of FLEECY WHITE to each quart of water for sterilizing: SICKROOM UTENSILS, SPUTUM CUPS, RUBBER SHEETS, BED PANS, ETC. Wash thoroughly and

let stand in solution for about 5 minutes. Then rinse well in clear water," borne on the labels affixed to the containers of the product, were false and misleading in that the statements represented that the product contained not less than 5.25 percent of sodium hypochlorite by volume and not more than 94.75 percent of inert ingredients by volume, that the product was a sterilizing agent, that it would sterilize sickroom utensils, sputum cups, rubber sheets, and bedpans, and that it could be relied on to disinfect the places and articles mentioned when used as directed, whereas the product contained less than 5.25 percent of sodium hypochlorite by volume and more than 94.75 percent of inert ingredients by volume, it was not a sterilizing agent, it would not sterilize sickroom utensils, sputum cups, rubber sheets, and bedpans, and it could not be relied on to disinfect the places and articles mentioned when used as directed.

On April 1, 1949, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2055. Adulteration and misbranding of "Tobacine." U. S. v. 800 pounds, more or less, of "Tobacine." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2500. I. D. No. 17618.)

An examination of "Tobacine" showed that it was a dark brown viscous paste and contained an average of 5.4 percent of dichloro diphenyl trichloroethane (DDT), 18.2 percent of water, very small amounts of nicotine, methylated naphthalenes, mineral oil, and organic matter.

On April 18, 1949, the United States Attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 800 pounds, more or less, of "Tobacine" at Yakima, Wash., alleging that the product had been shipped in interstate commerce, on or about May 18, 1946, from Henderson, Ky., by the American Nicotine Company, and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated, in part, "Dichloro—Diphenyl—Trichloroethane (DDT) . . . 15%," whereas the product contained less than 15 percent dichloro diphenyl trichloroethane (DDT).

The product was alleged to be misbranded in that the statement, "Dichloro—Diphenyl—Trichloroethane (DDT) . . . 15%," borne on the labels affixed to the containers of the product, was false and misleading as the product contained less than 15 percent of dichloro diphenyl trichloroethane (DDT).

On May 27, 1949, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2056. Misbranding of "Sayf Moth Proofing Liquid." U. S. v. 41 five-gallon containers, more or less, of "Sayf Moth Proofing Liquid." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2501. I. D. No. 17941.)

An examination of "Sayf Moth Proofing Liquid" showed that it consisted of water and small quantities of compounds of aluminum, iron, calcium, potassium, phosphorus, silicon, and a wetting agent.

On October 7, 1949, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 41 five-gallon containers, more or less, of "Sayf Moth Proofing Liquid" at Chicago, Ill., alleging that the product had been shipped in interstate commerce, on or about June 3, 1947, by the Hoggatt Chemical Company, from Kansas City, Mo., and charging that the product was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be misbranded in that it consisted partially or completely of inert substances which did not prevent, destroy, repel, or mitigate insects and did not have the name and percentage amount of each of the inert ingredients stated on its label nor did the label bear a statement of the name and percentage amount of each ingredient having insecticidal properties and the total percentage of inert ingredients.

The product was alleged to be further misbranded in that its label stated, "Sayf Moth Proofing Liquid Moth Proofs Everything Guaranteed 5 Years," whereas the product was not a mothproofing agent and would not mothproof everything for 5 years.

On April 18, 1950, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2057. Misbranding of "Repellit"; and adulteration and misbranding of "D. & P. 4 in 1 Spray." U. S. v. Doggett-Pfeil Company, a corporation. Plea of guilty. Fine \$250 on count two. Counts one and three dismissed. (I. & F. No. 2454. I. D. Nos. 12977 and 12375.)

An examination of "Repellit" showed that it consisted of 26.8 percent of water, 48.9 percent of isopropyl alcohol, and 24.3 percent of dimethyl phthalate and perfume.

An examination of "D. & P. 4 in 1 Spray" showed that it consisted of 28.29 percent of lead arsenate, 4.3 percent of copper in the form of a copper compound, 3.04 percent of nicotine, and 64.37 percent inert ingredients.

On March 3, 1947, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court an information, in three counts, against Doggett-Pfeil Company, a corporation, alleging shipment in interstate commerce, on July 6, 1945, from Springfield, N. J., to New York City, N. Y., of a consignment of bottles containing a product known as "Repellit" and on May 22, 1946, from Springfield, N. J., to Silver Spring, Md., of a consignment of bags containing a product known as "D. & P. 4 in 1 Spray." The product "Repellit" was alleged to be a misbranded insecticide and the product "D. & P. 4 in 1 Spray" was alleged to be an adulterated and misbranded insecticide, within the meaning of the Insecticide Act of 1910.

The product "Repellit" was alleged to be misbranded in that it consisted partially of inert ingredients (water and isopropyl alcohol), which did not prevent, destroy, repel, or mitigate insects, and the labels affixed to the bottles containing the product did not have the names and percentage amounts of each such ingredient stated thereon, nor did the labels bear a statement of the names and percentage amounts of each ingredient having insecticidal properties, and the total percentage of inert ingredients. The product was alleged to be further misbranded in that the labels affixed to the bottles containing the product stated, in part, "Repellit Repellent Lotion * * * Enjoy gardening, camping, picknicking, swimming, hunting, fishing and all outdoor activities free from the annoyance of insect pests," which statements were false and misleading in that the product would not keep one free from the annoyance of insect pests during all outdoor activities.

The product "D. & P. 4 in 1 Spray" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the bags containing the product stated, in part, "Active Ingredients—Lead Arsenate 47.0%, Metallic Copper 3.2%, Nicotine 4.4%, Inert Ingredients 45.4%—Total 100.0%, Total Arsenic, as metallic 9.3%," whereas the product contained less than 47.0 percent lead arsenate, less than 4.4 percent nicotine, more than 45.4 percent inert ingredients, and less than 9.3 percent total arsenic expressed as metallic arsenic.

The product "D. & P. 4 in 1 Spray" was alleged to be misbranded in that the labels affixed to the bags containing the product stated, in part, "Active Ingredients—Lead Arsenate 47.0%, Metallic Copper 3.2%, Nicotine 4.4%, Inert Ingredients 45.4%, Total 100.0%, Total Arsenic, as metallic 9.3%," whereas the product contained less than 47.0 percent lead arsenate, less than 4.4 percent nicotine, more than 45.4 percent inert ingredients, and less than 9.3 percent total arsenic expressed as metallic arsenate.

On February 17, 1948, the defendant entered a plea of guilty to count two and was fined \$250. On January 7, 1949, on motion of the Government representative, counts one and three of the information were dismissed.

2058. Adulteration and misbranding of "Knock 'Em' Dead Tobacco Powder." U. S. v. Goulard & Olena, Inc., a corporation. Plea of guilty to counts one and four. Fine of \$500. Sentence suspended. (I. & F. No. 2388. I. D. Nos. 8922, 9665, and 9777.)

An examination of samples of "Knock 'Em' Dead Tobacco Powder" in the 5-pound containers showed an average weight shortage of one-fourth pound. An examination of samples of the product in the 1-pound and 5-pound containers showed an average shortage of 24 percent of the amount of nicotine claimed.

On February 18, 1947, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court an information, in eight counts, against Goulard & Olena, Inc., a corporation, alleging shipment in interstate commerce, on or about March 23, 1944, from Jersey City, N. J., to Long Island, N. Y., on or about July 5, 1944,

from Jersey City, N. J., to Media, Pa., and, on or about February 9, 1945, from Jersey City, N. J., to Milford, Conn., of quantities of a product known as "Knock 'Em' Dead Tobacco Powder" which was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

In counts one and six relating, respectively, to the March 23, 1944, and February 9, 1945, shipments of 5-pound containers and in count four relating to the July 5, 1944, shipment of 1-pound containers, the product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the product was labeled, "Active Ingredient—Nicotine 1.00%, Inert Ingredients 99.00%," whereas the product contained less than 1.00 percent nicotine and more than 99.00 percent inert ingredients.

In counts two and seven relating, respectively, to the March 23, 1944, and February 9, 1945, shipments of 5-pound containers and in count five relating to the July 5, 1944, shipment of 1-pound containers, the product was alleged to be misbranded in that the statement, "Active Ingredient—Nicotine 1.00%, Inert Ingredients 99.00%," borne on the labels affixed to the containers of the product, was false and misleading as the product contained less than 1.00 percent nicotine and more than 99.00 percent inert ingredients.

In counts three and eight relating, respectively, to the March 23, 1944, and February 9, 1945, shipments of 5-pound containers, the product was alleged to be further misbranded in that the statement, "G&O Knock 'Em' Dead Tobacco Powder * * * Net Weight—5 Lbs.," borne on the labels affixed to the bags containing the product, was false and misleading as the bags contained less than 5 pounds of the product.

On October 21, 1947, the defendant entered a plea of guilty to counts one and four; and counts two, three, five, six, seven, and eight were dismissed. On November 7, 1947, a fine of \$500 was imposed but such sentence was suspended and the corporation was put on probation for 1 year.

2059. Adulteration of "PETONE RIO." U. S. v. Associated Chemists, Inc. Plea of nolo contendere. Fine \$100. (I. & F. No. 2483. I. D. Nos. 15516, 14843, 14842, 14841, and 14064.)

An examination of samples taken from five shipments of "PETONE RIO" showed that the velsicol 1068 content of the drums involved in such shipments was 4.49 percent, none, 4.02 percent, none, and 5.68 percent, respectively, instead of 20 percent of velsicol 1068 pure chemical or 22½ percent of velsicol 1068 technical as claimed.

On December 29, 1947, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court an information against Associated Chemists, Inc., alleging shipments in interstate commerce, on or about October 30, 1946, from Chicago, Ill., to Utica, N. Y., on or about November 27, 1946, March 27, 1947, and April 14, 1947, from Chicago, Ill., to Toledo, Ohio, and on or about February 14, 1947, from Chicago, Ill., to Racine, Wis., of consignments of a product known as "PETONE RIO" which was an adulterated insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the product in the drums did not contain 20 percent of velsicol 1068 pure chemical or 22½ percent of velsicol 1068 technical, as claimed.

On October 7, 1948, the defendant entered a plea of nolo contendere and the court imposed a fine of \$100.

2060. Adulteration and misbranding of "EZ Bleach." U. S. v. 1,194 quart containers, more or less, of "EZ Bleach." Consent decree of condemnation, forfeiture, and destruction of product and release of containers. (I. & F. No. 2439. I. D. No. 12769.)

An examination of samples of "EZ Bleach" showed that it was a sodium hypochlorite solution, with an average shortage of 27.43 percent of sodium hypochlorite below the amount claimed.

On October 14, 1946, the United States Attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 1,194 quart containers, more or less, of "EZ Bleach" at Evansville, Ind., alleging that the product had been shipped in interstate commerce, on or about November 5, 1945, by the Central City Pickle Company, from Peoria, Ill., and charging that the product was

an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated, "Active Ingredients: Sodium Hypochlorite 5.25% by weight—Inert Ingredients: 94.75% by weight," whereas the product contained less than 5.25 percent of sodium hypochlorite by weight and more than 94.75 percent of inert ingredients by weight.

The product was alleged to be misbranded in that the statements, borne on the labels affixed to the containers of the product, were false and misleading in that the labels stated, in part, (1) "Active Ingredients: Sodium Hypochlorite 5.25% by weight—Inert Ingredients: 94.75% by weight" and (2) "Disinfects * * * As a disinfectant: Thoroughly clean article. Immerse in a dilution containing 1 to 2 tablespoonfuls Bleach to each gallon of water," which statements represented that the product contained not less than 5.25 percent of sodium hypochlorite by weight and not more than 94.75 percent of inert ingredients by weight, and that the product would give a solution strong enough to provide efficient disinfection, whereas the product contained less than 5.25 percent of sodium hypochlorite by weight and more than 94.75 percent of inert ingredients by weight, and the product would not give a solution strong enough to provide efficient disinfection.

On December 5, 1946, the Central City Pickle Company having appeared as claimant, a consent decree of condemnation and forfeiture was entered and it was ordered that the product be destroyed and that the containers in which the product was packed be returned to the Central City Pickle Company.

2061. Adulteration and misbranding of "Hot Foot Insect Killer." U. S. v. Jay B. Hazelrig and Thomas B. Hazelrig, individuals, doing business as copartners under the name of the American Chemical Company. Plea of guilty. Fine \$200. (I. & F. No. 2498. I. D. No. 17135.)

An examination of a sample of "Hot Foot Insect Killer" showed a shortage of 41.67 percent in the declared dichloro diphenyl trichloroethane content, and a shortage of 40 percent in the declared pyrethrins.

On March 17, 1949, the United States Attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court, an information, in two counts, against Jay B. Hazelrig and Thomas B. Hazelrig, individuals, doing business as copartners under the style and trade name of the American Chemical Company, alleging shipment in interstate commerce, on or about March 1, 1947, from Birmingham, Ala., to Jackson, Miss., of a consignment of a product known as "Hot Foot Insect Killer" which was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated, in part, "* * * HOT FOOT INSECT KILLER * * * ACTIVE INGREDIENTS, DICHLORO DIPHENYL TRICHLOROETHANE (DDT) . . . 3.00%, PYRETHRINS 11% * * *," whereas the product contained less than 3 percent DDT (dichloro diphenyl trichloroethane), and less than 0.11 percent pyrethrins.

The product was alleged to be misbranded in that the statements, "* * * HOT FOOT INSECT KILLER * * * ACTIVE INGREDIENTS, DICHLORO DIPHENYL TRICHLOROETHANE (DDT) . . . 3.00%, * * * PYRETHRINS 11% * * *," borne on the labels affixed to the containers of the product, were false and misleading in that the product contained less than 3 percent of DDT (dichloro diphenyl trichloroethane) and less than 0.11 percent of pyrethrins.

On April 29, 1949, the defendants entered a plea of guilty, and each defendant was fined \$100, or a total of \$200.

2062. Adulteration and misbranding of "Cloro-Cleen." U. S. v. 69 five-pound packages, more or less, of "Cloro-Cleen." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2494. I. D. No. 16086.)

An examination of "Cloro-Cleen" showed that it contained 0.25 percent of calcium hypochlorite, and 0.25 percent of available chlorine, and that the net content of the package was less than 5 pounds.

On January 19, 1949, the United States Attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 69 five-pound packages, more or less, of "Cloro-Cleen" at Kansas City, Mo., alleging that the

product was shipped in interstate commerce, on or about October 8, 1946, by the Pynol Company, from Burlington, Iowa, and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated, in part, "Active Ingredients: Calcium Hypochlorite, 7.25%, Inert Ingredients, 92.75%—100%. The inert ingredients of this product consist of effective cleansing agents. Available Chlorine 5.0%," whereas the product contained less than 7.25 percent of calcium hypochlorite and less than 5 percent of available chlorine.

The product was alleged to be misbranded in that the statements, (1) "Active Ingredients: Calcium Hypochlorite 7.25%, Inert Ingredients 92.75%, total 100%. The inert ingredients of this product consist of effective cleansing agents. Available chlorine 5.0%," (2) "Net Contents 5 lbs.," and (3) "CLORO-CLEEN FOR PURIFYING GLASSWARE AND DISHES AT BARS AND FOUNTAINS * * * ONE PRODUCT FOR EITHER CLEANING OR PURIFYING * * * One-half ounce to a gallon of water will provide available chlorine to approximate 200 P. P. M. (200 parts per million.) * * * DIRECTIONS FOR USING CLORO-CLEEN * * * BAR GLASSES. Rinse in clear water and purify in a solution of CLORO-CLEEN using one-half ounce or a good level tablespoonful to each gallon of water. This gives a solution containing 200 parts per million of available chlorine. Stir well. * * * SODA FOUNTAIN GLASSES. Wash thoroughly in a solution of CLORO-CLEEN. Then purify in a CLORO-CLEEN rinse using one-half ounce to each gallon of water. * * * DIRECTIONS FOR HOME AND HOSPITAL USE. To purify dishes, tableware, sick room utensils and fruit jars, wash thoroughly in a solution of CLORO-CLEEN, using one heaping tablespoonful to a gallon of hot water. Rinse well in a fresh solution using one heaping tablespoonful to a gallon of warm water. * * * MILK PLANT EQUIPMENT. Milk cans and other dairy utensils may be cleaned or purified by washing with a solution of CLORO-CLEEN in the proportion of one tablespoonful to a gallon of water. After use, flush equipment with cold water and wash with the warm solution of CLORO-CLEEN. CREAMERIES and ICE CREAM PLANTS. Holding tanks, mixers, sanitary piping, etc., should be thoroughly cleaned and then flushed with a solution of CLORO-CLEEN using one or two tablespoonfuls to each gallon of water. CLORO-CLEEN is a new, modern and very efficient purifier. It contains active cleansing agents which remove lipstick, grease films and prevent hard water streaks usually present after ordinary washing. These cleansing agents render the glasses cleaner and more easily purified. CLORO-CLEEN contains the chlorine producing elements necessary to comply with health regulations pertaining to a bactericide, when used according to instructions. Wash glasses or crockery thoroughly in the usual manner then purify in CLORO-CLEEN solution. * * *" borne on the labels affixed to the five-pound containers of the product, were false and misleading in that (1) the product contained less than 7.25 percent calcium hypochlorite and less than 5 percent available chlorine, (2) the net contents of the containers in which the product was packed was less than five pounds, and (3) a solution made with one-half ounce of Cloro-Cleen, of the composition found, to 1 gallon of water would contain less than 200 parts per million of available chlorine and could not be relied on to purify, in the bacteriological sense, the articles and surfaces mentioned when used according to the directions given on the labels.

On September 15, 1949, no claimant having appeared, a decree of condemnation and forfeiture was entered, and the United States marshal was ordered to destroy the product.

2063. Adulteration and misbranding of "Federal Bleach." U. S. v. 1,194 quart containers, more or less, of "Federal Bleach." Consent decree of condemnation, forfeiture, and destruction of product and release of containers. (I. & F. No. 2440, I. D. No. 12768.)

An examination of "Federal Bleach" showed that it was a solution of sodium hypochlorite and that it contained 4.04 percent of sodium hypochlorite instead of 5.25 percent as claimed.

On October 14, 1946, the United States Attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 1,194 quart containers, more or less, of "Federal Bleach" at Evansville, Ind., alleging that the product

was shipped in interstate commerce, on or about November 13, 1945, by Carbon-dale Wholesale Company, Carbondale, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated, in part, "Active Ingredients: sodium hypochlorite 5.25% by weight. Inert Ingredients 94.75% by weight," whereas the product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

The product was alleged to be misbranded in that the labels affixed to the containers of the product stated, in part, (1) "Active ingredients: sodium hypochlorite 5.25% by weight. Inert Ingredients 94.75% by weight," and (2) "As a disinfectant: Thoroughly clean article. Immerse in a dilution containing 1 to 2 tablespoonfuls Bleach to each gallon of water," which statements were false and misleading in that the statements represented (1) that the product contained not less than 5.25 percent sodium hypochlorite by weight and not more than 94.75 percent inert ingredients by weight and (2) that when used as directed the product would furnish a solution strong enough to effectively disinfect, whereas the product did not contain 5.25 percent sodium hypochlorite by weight and did contain more than 94.75 percent inert ingredients by weight and when used as directed would not furnish a solution strong enough to effectively disinfect.

On December 5, 1946, the Central City Pickle Company having appeared as claimant, a consent decree of condemnation and forfeiture was entered and it was ordered that the product be destroyed and that the containers in which the product was packed be returned to the Central City Pickle Company.

2064. Adulteration and misbranding of "Hermox." U. S. v. 14,388 quart containers, more or less, of "Hermox." Consent decree of condemnation, forfeiture, and destruction. (I. & F. No. 2437. I. D. No. 14126.)

An examination of samples of "Hermox" showed that it was a solution of sodium hypochlorite and that there was an average shortage of 25.14 percent of sodium hypochlorite below the amount declared.

On October 11, 1946, the United States Attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 14,388 quart containers, more or less, of "Hermox" at New Orleans, La., alleging that the product was shipped in interstate commerce, on or about February 27, 1946, by Fred Herman & Sons, from Chicago, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold as the labels affixed to the containers of the product stated, in part, "Active Ingredient: Sodium Hypochlorite 5.25%—Inert Ingredients 94.75%," whereas the product contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

The product was alleged to be misbranded in that the labels affixed to the containers of the product stated, in part, (1) "Active Ingredient: Sodium Hypochlorite 5.25%—Inert Ingredients 94.75%," and (2) "Hermox * * * Disinfects * * * Germicide * * * Disinfecting Solution for dairies, restaurants, soda fountains, hospitals, institutions, hotels, taverns, etc. After cleansing use solution containing 200 parts available chlorine per million—add ½ oz. Hermox to each gallon of water. Mix well," which statements were false and misleading in that they represented that the product contained not less than 5.25 percent sodium hypochlorite and not more than 94.75 percent inert ingredients, and that the product when used as directed would give a solution containing 200 parts per million of available chlorine, or a solution strong enough to effectively disinfect the places and articles mentioned, whereas the product contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients, and when used as directed would not give a solution containing 200 parts per million of available chlorine or a solution strong enough to effectively disinfect the places and articles mentioned.

On November 18, 1946, Fred Herman & Sons appeared as claimant and a consent decree of condemnation was entered providing for the release of the product under bond for the purpose of bringing it into compliance with the act. The claimant forfeited the bond and on July 7, 1948, an amended decree of condemnation and forfeiture was entered and the United States marshal was ordered to destroy the product.

2065. Adulteration and misbranding of "Energy Household Bleach." U. S. v. 1,056 one-gallon containers and 1,424 quart containers, more or less, of "Energy Household Bleach." Consent decree of condemnation and release under bond. (I. & F. No. 2404. I. D. No. 13621.)

An examination of samples of "Energy Household Bleach" showed that it was a sodium hypochlorite solution with an average shortage of 13.14 percent of sodium hypochlorite below the amount claimed.

On April 24, 1946, the United States Attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 1,056 one-gallon containers and 1,424 quart containers, more or less, of "Energy Household Bleach" at Joplin, Mo., alleging that the product was shipped in interstate commerce, on or about February 8, 1946, by Fred Herman & Sons, from Chicago, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the standard or quality under which it was sold as the labels affixed to the containers of the product stated, in part, "ACTIVE INGREDIENTS: (Sodium Hypochlorite) 5.25%, INERT INGREDIENTS: 94.75%, TOTAL INGREDIENTS: 100.00%," whereas the product contained less than 5.25 percent of sodium hypochlorite and more than 94.75 percent of inert ingredients.

The product was alleged to be misbranded in that the statements borne on the labels affixed to the containers of the product were false and misleading as the labels represented that the product contained not less than 5.25 percent of sodium hypochlorite and not more than 94.75 percent inert ingredients, whereas the product contained less than 5.25 percent of sodium hypochlorite and more than 94.75 percent of inert ingredients.

On June 26, 1946, Fred Herman & Sons having appeared as claimants, a consent decree of condemnation was entered providing for the release of the product under bond for the purpose of bringing it into compliance with the act.

2066. Adulteration and misbranding of "Carbola DDT Contains 2% DDT." U. S. v. Carbola Chemical Company, Inc., a corporation. Plea of guilty. Fine of \$100. (I. & F. No. 2502. I. D. No. 17421.)

An examination of "Carbola DDT Contains 2% DDT" showed that the product contained an average of 1.31 percent of DDT instead of 2 percent as claimed on the label of the product, and an average of about 0.92 percent phenols instead of 3 percent as claimed on the label of the product.

On March 7, 1950, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court an information, in two counts, against Carbola Chemical Company, Inc., a corporation, alleging shipment in interstate commerce, on or about March 2, 1948, from Natural Bridge, N. Y., to Frederick, Md., of quantities of a product known as "Carbola DDT Contains 2% DDT" which was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

In count one, the product "Carbola DDT Contains 2% DDT" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled, in part, "ACTIVE INGREDIENTS phenols 3%, Dichloro Diphenyl Trichloroethane 2%, INERT INGREDIENTS 95%," whereas it contained less than 3 percent phenols, less than 2 percent dichloro diphenyl trichloroethane, and more than 95 percent inert ingredients.

In count two, the product was alleged to be misbranded in that it was labeled so as to deceive or mislead the purchaser since its label stated, in part, "CARBOLA DDT CONTAINS 2% DDT DRY INSECTICIDE DEODORANT SOIL TREATMENT For CATTLE POULTRY DOGS GARBAGE CANS TOILETS. ACTIVE INGREDIENTS Phenols 3%, Dichloro Diphenyl Trichloroethane 2%, INERT INGREDIENTS 95%, TOTAL 100% * * * IN STOCK BARNs Thoroughly clean out all litter. Then apply Carbola as a liquid on all walls, ceilings, stanchions, floors and partitions as per directions on larger-sized pack-

ages of Carbola-DDT. After each scraping of floors and gutters dust Carbola lightly. When thus used as a paint and dust beginning in May or June Carbola will continue to kill Flies, Spiders, Mosquitoes and Fleas by contact for three months and will greatly reduce flies at milking time. Also apply dry onto cattle in pasture against flies. * * * RABBITS, DOGS, * * * Against chicken lice, apply dry Carbola through feathers. * * * Apply as a dust in flush toilets and outdoor toilets daily * * * to control flies. * * *," whereas the product contained less than 3 percent phenols, less than 2 percent dichloro diphenyl trichloroethane, and more than 95 percent inert ingredients; and when used as directed on the label the product would not control flies, spiders, mosquitoes and fleas in stock barns, lice on rabbits and dogs, or flies in toilets, as claimed.

On June 6, 1950, the defendant entered a plea of guilty, and the court imposed a fine of \$50 on each of two counts, or a total of \$100.

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